

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

JERALD BOITNOTT, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

INSPIRE BRANDS, INC. and
ARBY'S RESTAURANT GROUP, INC.,

Defendants.

Case No. 0:19-cv-00701-ECT-SER

STIPULATION OF DISMISSAL

Plaintiff Jerald Boitnott ("Plaintiff") and Defendants Inspire Brands, Inc. and Arby's Restaurant Group, Inc. (collectively, "Defendants"), by and through their undersigned counsel and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) hereby stipulate that:

1. This action shall be DISMISSED, without prejudice as between Plaintiff and Defendants;
2. No motion for class certification has been filed and no class has been certified in this action; therefore, class notice and court approval of this dismissal are not required under the Federal Rules; and
3. Each party shall bear their own costs and fees, including attorneys' fees, incurred in connection with this action.

Dated: May 13, 2019

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/s/ R. Bruce Carlson

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served upon all counsel of record via the Court's electronic filing system on May 13, 2019.

/s/ R. Bruce Carlson